

Tablet Triturates No. 57 Codeine Sulphate 1-8 Gr. R. J. Strassenburgh Co.,
 "1900 Tablet Triturates * * * Morphine Sulph. 1-16 Grain * * * R. J.
 Strassenburgh Co."

Analysis of samples of the articles by the Bureau of Chemistry of this department showed that: The two samples of nitroglycerin tablets, labeled "1/100 Gr.," contained approximately 0.006 grain of nitroglycerin per tablet; the two samples of strychnine sulphate tablets, labeled "1/30 Gr.," contained approximately 0.027 grain of strychnine sulphate per tablet; the codeine sulphate tablets, labeled "1/8 Gr.," contained approximately 0.10 grain of codeine sulphate per tablet; the morphine sulphate tablets, labeled "1/16 Grain," contained approximately 0.055 grain of morphine sulphate per tablet.

Adulteration of the articles was alleged in substance in the information for the reason that the labels represented the said tablets to contain 1/100 grain of nitroglycerin, 1/30 grain of strychnine sulphate, 1/8 grain of codeine sulphate, or 1/16 grain of morphine sulphate, as the case might be, whereas each of said tablets contained less of the product than represented on the label thereof.

Misbranding was alleged for the reason that the statements, to wit, "Tablet Triturates * * * Nitroglycerine 1-100 Gr.," "Tablets * * * Strychnine Sulph. 1-30 Gr.," "Tablet Triturates * * * Codeine Sulphate 1-8 Gr.," and "Tablet Triturates * * * Morphine Sulph. 1-16 Grain," as the case might be, borne on the labels of the respective products, were false and misleading, in that the said statements represented that each of said tablets contained the amount of the product declared on the label thereof, whereas the said tablets contained less than so declared.

On May 21, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$600.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13891. Misbranding of canned tuna fish. U. S. v. 9 Cases of Tuna Fish. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20312. I. S. Nos. 115-x, 116-x. S. No. W-1758.)

On August 3, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 9 cases of tuna fish, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Italian Food Products Co., Inc., from Wilmington, Calif., October 1, 1923, and transported from the State of California into the State of Washington, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Merlino Tonno Tuna Fish * * * Net Weight 16 Oz. Packed By Italian Food Products Co., Inc. Long Beach, Calif., U. S. A."

Misbranding of the article was alleged in the libel for the reason that the statement "Net Weight 16 Oz.," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 31, 1925, the Italian Food Products Co., Long Beach, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, or the deposit of certified check in like amount in lieu thereof, conditioned in part that the product be relabeled under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13892. Adulteration of spring water. U. S. v. 9 7-12 Cases of Seawright Natural Spring Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20429. I. S. No. 4921-x. S. No. E-5403.)

On or about September 15, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 9½ cases of Seawright natural spring water, remaining

in the original unbroken packages at Baltimore, Md., consigned about August 1, 1925, alleging that the article had been shipped by the Seawright Mineral Springs, Inc., from Staunton, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Natural Spring Water * * * Seawright Trade Mark * * * Seawright Mineral Springs Inc., Staunton, Virginia."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 28, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13893. Adulteration and misbranding of canned tomatoes. U. S. v. 650 Cases of Canned Tomatoes. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20268. I. S. No. 14229-v. S. No. E-5435.)

On July 25, 1925, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 650 cases of canned tomatoes, remaining in the original unbroken packages at Haverhill, Mass., alleging that the article had been shipped by the Davis Canning Co., from Laurel, Del., October 3, 1924, and transported from the State of Delaware into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dee Bee Brand Tomatoes * * * Quality First Packed By Davis Canning Co. Laurel, Del."

Adulteration of the article was alleged in the libel for the reason that a substance, added water, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Quality First * * * Tomatoes," together with the cut of a ripe red tomato, borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On October 9, 1925, the Davis Canning Co., Laurel, Del., having appeared as claimant for the property and having filed a satisfactory bond, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13894. Adulteration of butter. U. S. v. 10 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20273. I. S. No. 5302-x. S. No. E-5371.)

On or about July 9, 1925, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 10 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned about June 29, 1925, alleging that the article had been shipped by the Starksboro Creamery Co., Bristol, Vt., and transported from the State of Vermont into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed with and substituted wholly or in part for the said article, and in that a valuable constituent thereof, to wit, butterfat, had been wholly or in part abstracted.

On July 21, 1925, the Starksboro Cooperative Creamery, Starksboro, Vt., having appeared as claimant for the property and having filed a satisfactory bond, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*